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EXAMINER
BAYARD, DJENANE M

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/587,826	TULLER ET AL.
	Examiner	Art Unit	
	Djenane M Bayard	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 June 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41,60 and 70-90* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41, 60, and 70-90* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892) ⬤

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   This is in response to applicant's argument filed 6/15/04 in which claims 1-41, 60, and 70-90 are pending and claims 42-59 and 61-68. Applicant's arguments have been fully considered but they are not persuasive. Therefore, this case is made final.

2.   As per claims 1,21 and 79, applicant argues that the prior art fails to teach "remotely accessing a communication network by a network management server coupled via the network to one or more client terminals and to a plurality of destination nodes consisting at least in part of one or more self-service financial transaction terminal". Arcserve v6.5 For Windows NT User Guide teaches wherein teaches wherein immediate, scheduled or automated backups of local or remote machines attached to a network and wherein the Arcserve Manager program can be installed remotely on another machine in order to control the various Arcserve functions (See page 1-2 and 2-2). The applicant argues remotely configuring a retrieval command associated with a at least one of the destination nodes by the network management server according to at least one of a plurality of parameters with which the network management server is pre-programmed consisting at least in part of retrieval destination node selection parameters, retrieval file selection parameters, retrieval status parameters, retrieval prioritizing parameters, and retrieval schedule parameters. However, Arcserve v6.5 For Windows NT User Guide

teaches how to apply various retrieval parameters such as priority, file selection and status while

setting up the backup operation.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-7, 21-27, 41, 60, 79-80 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Arcserve V6.5 for Windows NT User Guide in view of U.S. in view of U.S in

view of U.S. Patent No. 5,933,816 to Zeanah et al.

1. As per claim 1 and 21, Arcserve v6.5 For Windows NT User Guide in view of

platform-independent method for retrieving and managing data in at least one communications

network having a plurality of destination nodes interconnected with communication lines,

comprising: remotely accessing a communications network by a network management server

coupled via the network to at least one client terminal and to a plurality of destination nodes

(See page 1-2 , Remarks: Arcserve V6.5 for Windows NT User Guide teaches wherein

immediate, scheduled or automated backups of local or remote machines attached to a network);

remotely configuring a retrieval command associated with a at least one of the destination nodes

by the network management server according to at least one of a plurality of parameters with

which the network management server is pre-programmed consisting at least in part of retrieval

parameters, retrieval file selection parameters, retrieval status parameters, retrieval prioritizing

parameters, and retrieval schedule parameters (See pages 4-4 – 4-6 and 9-13 – 9-18) and ;

remotely transmitting said retrieval command by the network management server to said

destination node (See page 4-4, lines 1-2); allowing a user at said at least one client terminal to

remotely monitor said retrieval command associated with said destination node (See pages 2-2,

2-8, 9-23 – 9-24, Remark: The Arcserve Manager program can be installed remotely on another

machine to control the various Arcserve functions); remotely transmitting a response to said

retrieval command from said destination node to said network management server; allowing the

user at said at least one client terminal to remotely monitor said response from said destination

node to said retrieval command (See page 9-23 – 9-24); and remotely storing said response from

said destination node to said retrieval command by the network management server (See page

10-15). However, Arcserve V6.5 for Windows NT User guide fails to teach wherein the

destination nodes consists at least in part of at least one self-service financial transaction

terminal;

Zeanah et al teaches a system and method for delivering financial services. Furthermore,

Zeanah et al teaches wherein the destination nodes consist at least in part of at least one

self-service financial transaction terminal;

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein the destination nodes consists at least in part of at least one

self-service financial transaction terminal as taught by Zeanah et al in the claimed invention of

Arcserve V6.5 For Windows NT User Guide in order to provide a delivery system and method

that are capable of supporting existing remote devices (See col. 5, paragraph [2-3]).

2.   As per claims 2 and 22, Arcserve v6.5 for Windows NT User guide teaches remotely

prioritizing said retrieval command associated with said destination node by the network

management server; and remotely prioritizing said response from said destination node to said

retrieval command by the destination node (See page 9-22).

3.   As per claims 3-23, Arcserve v6.5 for Windows NT User guide wherein said monitoring

of said response further comprises a retrieval status (See page 9-24)

4.   As per claims 4-24, Arcserve v6.5 for Windows NT User guide wherein said retrieval

status parameters further comprises at least one of the following parameters: never attempted;

successful; not available; date out of range; failed; and in progress (See page 9-13 and 9-14).

5.   As per claims 5 and 25, Arcserve v6.5 for Windows NT User guide further comprising

remotely executing an automated retrieval schedule by the network management server (See

page 6-11, Remark: Arcserve v6.5 for Windows NT User guide teaches how to schedule a job to

run at a later time)

6.   As per claims 6 and 26, Arcserve v6.5 for Windows NT User guide wherein said retrieval

schedule parameters further comprises at least one of the following parameters: an upload

frequency; an upload schedule; and a destination directory (See pages, 6-11, 6-13 and 6-15).

7.   As per claims 7 and 27, Arcserve v6.5 for Windows NT User guide teaches remotely

constructing a response log by the network management server; remotely administering said

response log by the network management server; and remotely printing said response log by the

network management server (See pages 6-25 and 9-10).

8.   As per claims 9 and 29, Arcserve v6.5 For Windows NT User Guide wherein said

configuration of said retrieval command further comprises node filtering (See page 6-2).

9.   As per claims 10 and 30, Arcserve v6.5 For Windows NT User Guide teaches wherein said

new retrieval destination node selection parameters further comprises at least one of the

following parameters: one or more of said destination nodes designated by a user; one or more of

said destination nodes affiliated with a particular business; and one or more of said destination

nodes affiliated with a particular business branch (See page 6-18).

10.   As per claims 11 and 31, Arcserve v6.5 For Windows NT User Guide wherein said

retrieval destination node selection parameters further comprises; at least one of the following

parameters: at least one selected day; at least one selected hour; at least one selected said

destination node; at least one missed day; at least one missed hour; at least one disconnected

destination node; at least one down destination node; and at least one exception-reported

destination node (See page 7-32 – 7-42).

11.   As per claims 12 and 32, Arcserve v6.5 For Windows NT User Guide teaches wherein

said file selection parameters further comprises at least one of the following parameters: file

type; file type name-, and archive directory (See page 5-9).

12.   As per claims 41 and 60, Arcserve v6.5 for Windows NT User Guide teaches allowing

the user at the at least one client terminal to remotely configure a user request to the network

node via the network node via the network management server (See page 2-2)

13.   As per claim 79, Arcserve v6.5 For Windows NT User Guide teaches a

platform-independent system for retrieving and managing data in at least one communications

network having a plurality of destination nodes interconnected with communication lines,

comprising: a network automated information retrieval system coupled to at least one

communications network having a plurality of nodes (See page 1-2) an interactive user module

coupled with a network management system server connected to said communications network

having a plurality of nodes (See page 1-3); wherein the network management system server is

pre-programmed for remotely configuring a retrieval command associated with a at least one of

the nodes according to at least one of a plurality of parameters consisting at least in part of

retrieval node selection parameters retrieval file selection parameters retrieval status parameters,

retrieval prioritizing parameters, and retrieval schedule, parameters for transmitting said retrieval

command to said node and for receiving a response to said retrieval command from said

node(See pages 4-4 – 4-6 and 9-13 – 9-18); and a plurality of client terminals coupled to said

interactive user module for allowing user interaction with said network automated information

retrieval systems said interaction consisting of at least one of remotely monitoring said retrieval command associated with said node by the user, remotely monitoring said response from said node to said retrieval command by the user, and remotely configuring a user request to the network node via the network management server (See page 1-3). However, Arcserve v6.5 For Windows NT User Guide fails to teach wherein the plurality of nodes consists at least in part of at least one self-service financial transaction terminal;

Zheanah et al teaches a system and method for delivering financial services. Furthermore, Zheanah et al teaches wherein the plurality of nodes consists at least in part of at least one self-service financial transaction terminal;

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the plurality of nodes consists at least in part of at least one self-service financial transaction terminal as taught by Zeanah et al in the claimed invention of Arcserve V6.5 For Windows NT User Guide in order to provide a delivery system and method that are capable of supporting existing remote devices (See col. 5, paragraph [2-3]).

14.   As per claim 80, Arcserve V6.5 for Windows NT User guide teaches wherein said interactive user module is communicated by a service application of said automated information retrieval system to said network management system server (See page 1-3).

15.   As per claim 82, Arcserve V6.5 for Windows NT User guide teaches wherein said communications network further comprises memory (See page 2-5).

16.   As per claim 83, Arcserve V6.5 for Windows NT User Guide teaches wherein said

communications network further comprises at least one database stored in memory (See page 1-

5).

17.   As per claim 84, Arcserve V6.5 for Windows NT User guide teaches, wherein said

communications network further comprises at least one database processor capable of processing

data contained in said database (See page 2-5).

18.   As per claim 85, Arcserve V6.5 for Windows NT User guide teaches   further comprising

a request to said automated information retrieval system (See page 1-3).

19.   As per claim 86, Arcserve V6.5 for Windows NT User guide teaches wherein said

request is communicated to said automated information retrieval system by said user interaction

with said interactive user module (See page 1-3).

20. As per claim 87, Arcserve V6.5 for Windows NT User guide teaches wherein said interactive

user module comprises at least one of the following user modules selected from a group of user

modules comprising: an administrator module; an operator module; a help module; and a status

module (See page 1-3).

21.   As per claim 88, Arcserve V6.5 for Windows NT User guide teaches wherein said

request further comprises a retrieval command to query at least one destination node in real-time

(See page 9-23).

22.   As per claim 89, Arcserve V6.5 for Windows NT User guide teaches means for said

plurality of network nodes to transmit a response to said request means for processing said

response from said plurality of network nodes to said request; and means for storing said

response from said plurality of network nodes to said request. (See page 1-3, 1-5 and 10-15).

23.   As per claim 90, Arcserve V6.5 for Windows NT User guide teaches means for

constructing a response log, wherein said response log comprises a plurality of responses from

said plurality of network nodes to said request (See page 10-19); means for administering said

response log (See page 10-21); and means for printing said response log (See page 9-10)

5.   Claims 8-12 and 28-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Arcserve V6.5 for Windows NT User Guide in view of U.S. in view of U.S. Patent No.

5,933,816 to Zeanah et al as applied to claim 1 above, and further in view of U.S. Patent U.S.

Patent No. 6,513,060 to Nixon et al.

1.   As per claims 8 and 28, Arcserve v6.5 for Windows NT user Guide teaches the claimed

invention as described above. However, Arcserve v6.5 for Windows NT user Guide fails to

teach wherein said plurality of parameters with which the network management server is pre-programmed further comprises at least one of the following parameters: minimum time to retry if retrieval failure; and maximum number of simultaneous retrievals.

Nixon et al teaches a system and method for monitoring informational resources. Furthermore, Nixon et al teaches wherein said plurality of parameters with which the network management server is pre-programmed further comprises at least one of the following parameters: minimum time to retry if retrieval failure; and maximum number of simultaneous retrievals (See col. 20, lines 34-37 and col. 23, lines 45-46).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said plurality of parameters with which the network management server is pre-programmed further comprises at least one of the following parameters: minimum time to retry if retrieval failure; and maximum number of simultaneous retrievals as taught by Nixon et al in the claimed invention of Arcserve v6.5 for Windows NT user Guide in order to monitor the informational resources to determine if they are accessible and to evaluate their performance (See abstract, lines 6-8).

6.   Claims 13and 33are rejected under 35 U.S.C. 103(a) as being unpatentable over Arcserve v6.5 For Windows NT User Guide in view of U.S. Patent No. 5,933,816 to Zeanah et al as applied to claim 1 above, and further in view of U.S. Patent No. 6,343,326 to Acharya et al.

1.   As per claims 13 and 33, Arcserve v6.5 For Windows NT User Guide in view of Zeanah et al teaches the claimed invention as described above. However, Arcserve v6.5 For Windows

NT User Guide in view of Zeanah et al fails to teach wherein said destination node further comprises a plurality of delivery system nodes.

Acharya et al teaches a system and method of transferring Internet protocol packets using fast ATM cell transport. Furthermore, Acharya et al teaches wherein said destination node further comprises a plurality of delivery system nodes (See col. 3, lines 23-25).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said destination node further comprises a plurality of delivery system nodes as taught by Acharya et al in the claimed invention of Arcserve v6.5 For Windows NT User Guide in Zeanah et al in order to simultaneously deliver packets in a multicast operation (See col. 3, lines 23-25).

7.   Claims 14 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arcserve v6.5 For Windows NT User Guide in view of U.S. Patent No. 5,933,816 to Zeanah et al as applied to claim 1 above, and further in view of U.S. Patent No. 5,790,541 to Patrick et al.

1.   As per claims 14 and 34, Arcserve v6.5 For Windows NT User Guide in view of Zeanah et al teaches the claimed invention as described above. However, Arcserve v6.5 For Windows NT User Guide in view of Zeanah et al fails to teach wherein said destination node further comprises a plurality of secondary system nodes.

Patrick et al teaches an apparatus, method, system and system method for distributed routing in a multipoint communication system. Furthermore, Patrick et al teaches wherein said destination node further comprise a plurality of secondary system nodes (See col. 9, lines 63-66)

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein said destination node further comprise a plurality of secondary

system nodes as taught by Patrick et al in the claimed invention of Arcserve v6.5 For Windows

NT User Guide in view of Zeanah et al in order to implement a centralized topology. (See col. 9,

lines 63-66)

8.   Claims 15-19 and 35-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Arcserve V6.5 For Windows NT User Guide in view of U.S. Patent No. 5,933,816 to Zeanah et

al as applied to claim 1 above, and further in view of U.S Patent No. 6,226,623 to Schein et al.

1.   As per claims 15 and 35, Arcserve v6.5 For Windows NT User Guide in view of Zeanah

et al teaches the claimed invention as described above. However, Arcserve v6.5 For Windows

NT User Guide in view of Zeanah et al fails to teach wherein said destination node is an

automated teller machine.

Schein et al teaches a global financial services integration system and process.

Furthermore, Schein et al teaches wherein said destination node is an automated teller machine

(See col. 7, lines 20-21)

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein said destination node is an automated teller machine as taught

by Schein et al in the claimed invention of Arcserve v6.5 for Windows NT User Guide in view

of Zeanah et al in order to obtain a complete picture of a customer's relationship with the

financial institution (See col. 7, lines 25-29).

2.   As per claims 16 and 36, Arcserve v6.5 For Windows NT User Guide in view of Zeanah

et al teaches the claimed invention as described above. However, Arcserve v6.5 For Windows

NT User Guide fails to teach wherein said destination node is a bank server.

Schein et al teaches a global financial services integration system and process.

Furthermore, Schein et al teaches wherein destination node is a bank server (See col. 8, lines 55-

60)

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein destination node is a bank server as taught by Schein et al in

the claimed invention of Arcserve v6.5 For Windows NT User Guide in view of Zeanah et al in

order to obtain a complete picture of a customer's relationship with the financial institution (See

col. 7, lines 25-29).

3.   As per claims 17 and 37, Arcserve v6.5 For Windows NT User Guide in view of Zeanah

et al teaches the claimed invention as described above. However, Arcserve v6.5 For Windows

NT User Guide in view of Zeanah et al fails to teach wherein said destination node is a

communication server.

Schein et al teaches a global financial services integration system and process.

Furthermore, Schein et al teaches wherein said destination node is a communication server (See

col. 8, lines 55-59)

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein destination node is a communication server as taught by Schein

et al in the claimed invention of Arcserve v6.5 For Windows NT User Guide in view of Zeanah

et al in order to obtain a complete picture of a customer's relationship with the financial

institution (See col. 7, lines 25-29).

4.   As per claims 18 and 38, Arcserve v6.5 For Windows NT User Guide in view of Zeanah

et al teaches the claimed invention as described above. However, Arcserve v6.5 For Windows

NT User Guide in view of Zeanah et al fails to teach wherein said destination node is a financial

server.

Schein et al teaches a global financial services integration system and process.

Furthermore, Schein et al teaches wherein said destination node is a financial server (See col. 8,

lines 55-59)

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein destination node is a financial server as taught by Schein et al

in the claimed invention of Arcserve v6.5 For Windows NT User Guide in view of Zeanah et al

in order to obtain a complete picture of a customer's relationship with the financial institution

(See col. 7, lines 25-29).

5.   As per claims 19 and 39, Arcserve v6.5 For Windows NT User Guide in view of Zeanah

et al teaches the claimed invention as described above. However, Arcserve v6.5 For Windows

NT User Guide in view of Zeanah et al fails to teach wherein said communications network is a

financial institution's communications network.

Schein et al teaches a global financial services integration system and process. Furthermore, Schein et al teaches wherein said communications network is a financial institution's communications network (See abstract, lines 1-6)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein communications network is a financial institution's communications network as taught by Schein et al in the claimed invention of Arcserve v6.5 For Windows NT User Guide in view of Zeanah et al in order to integrate customer information and make the information accessible from remote locations (See abstract, lines 3-6).

9.   Claims 20 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arcserve v6.5 For Windows NT User Guide in view of in view of U.S. Patent No. 5,933,816 to Zeanah et al as applied to claim 1 above, and further in view of U.S. Patent No. 6,236,989 to Mandyam et al.

a.   As per claims 20 and 40, Arcserve v6.5 For Windows NT User Guide in view of Zeanah et al teaches the claimed invention as described above. However, Arcserve v6.5 For Windows NT User Guide in view of Zeanah et al fails to teach remotely providing a help mechanism to a user.

Mandyam et al teaches a network-based help architecture. Furthermore, Mandyam et al teaches remotely providing a help mechanism to a user (See col. 3, lines 60-65).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate remotely providing a help mechanism to a user as taught by Mandyam

et al in the claimed invention of Arcserve v6.5 for Windows NT User Guide in view of Zeanah et

al in order for the user to have access to required help information (See col. 4, lines 2-3).

10.   Claim 81 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arcserve v6.5

For Windows NT User Guide in view of U.S. Patent No. 5,933,816 to Zeanah et al as applied to

claim 79 above, and further in view of U.S. Patent No. 6,609,146 to Slotznick.

1.   As per claim 81, Arcserve v6.5 For Windows NT User Guide in view of Zeanah et al

teaches the claimed invention as described above. However, Arcserve v6.5 For Windows NT

User Guide in view of Zeanah et al fails to teach wherein interactive user module is

communicated by said service application of said automated information retrieval system to one

of an internet, an intranet, or an extranet.

Slotznick teaches wherein interactive user module is communicated by said service

application of said automated information retrieval system to one of a internet, an intranet, or an

extranet (See column 12, lines 52-54).

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein interactive user module is communicated by said service

application of said automated information retrieval system to one of a internet, an intranet, or an

extranet as taught by Slotznick in the claimed invention of Arcserve v6.5 For Windows NT User

Guide in view of Zeanah et al in order to create a client/server architecture (See col. 12, line 55-

57).

Conclusion

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Djenane M Bayard whose telephone number is (703) 305-6606.

The examiner can normally be reached on Monday- Friday 7:00 AM-4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Djenane Bayard

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER